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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Seventeenth session
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ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS SEVENTEENTH SESSION

Draft report

Rapporteur: Ms. Aurora JAVATE DE DIOS

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

5. Third and fourth periodic reports of States parties

Bangladesh

1. The Committee considered the combined third and fourth periodic reports of Bangladesh (CEDAW/C/BGD/3-4) at its 357th and 358th meetings, on 23 July 1997.

2. In his opening statement, the representative of Bangladesh confirmed his country's commitment to the advancement of women, which was a priority commitment of the Prime Minister. The Minister informed the Committee that a number of constitutional and policy measures had been introduced, including the adoption of a National Policy for Women's Development and the elaboration of a National Action Plan for the Implementation of the Beijing Platform for Action. These were both ground-breaking documents and would make real changes in women's status and position. The Minister noted that his country had been able to achieve considerable progress in the advancement and empowerment of women despite serious obstacles.

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3. The Minister announced that Bangladesh was withdrawing its reservations to articles 13, paragraph (a), and 16, paragraph 1 (f), of the Convention.

4. Another member of the delegation presented the combined third and fourth periodic report, recalling that the fourth periodic report had been submitted ahead of time as an expression of her country's commitment to the Convention and the promotion of women's rights. She indicated that the report, after being prepared, had been formally presented to more than 150 representatives of non-governmental organizations at a day-long workshop organized by the Ministry of Women's and Children's Affairs.

5. The representative noted that, according to development indicators relating to life expectancy, education and health, women's status in Bangladesh was lower than that of men's. Forty-eight per cent of the rural and 44 per cent of the urban population lived below the poverty line, with women suffering chronic nutritional deficiencies that were aggravated during pregnancy and lactation. A birth rate as high as 4.6 live births contributed to a cycle of high maternal mortality, malnutrition, low birth weight babies and infant mortality. The maternal mortality rate was one of the highest in the world (450 deaths per 100,000 live births). Progress in the removal of disparities was slow since women were subject to discrimination both in cultural practice and in personal law.

6. The representative described interventions and strategies to improve the status of women. The Government, assisted by non-governmental organizations, had taken special measures to promote girls' enrolment and retention at the primary and secondary levels of education, to target girls in non-formal education and to direct them towards non-traditional fields of study. A quota system had been introduced to accelerate recruitment of female primary school teachers.

7. In the field of employment, the representative informed the Committee of the quota system applicable to all types of public employment, reserving 10 per cent of recruitment to gazetted posts and 15 per cent to non-gazetted posts, with a view to facilitating entry and thereby increasing the number of women.

8. The Committee was informed about increases in women's economic participation as a result of self-employment-generating credit programmes run by the Government and non-governmental organizations. The Bangladesh experiment of providing women access to credit, and notably the Grameen Bank model, had been replicated abroad.

9. The representative pointed out that Bangladesh had made history by having two women succeed each other as Prime Minister and the Leader of the Opposition in Parliament. The phenomenal turnout of women in the 1996 Parliamentary elections showed that women as voters were gaining visibility and political strength. However, very few women had been elected to Parliament through direct electoral process. Thirty seats had been reserved for women in Parliament, in addition to the 300 seats elected directly from territorial constituencies. The Constitution provided reserved seats in all municipal and local government

bodies for women, and this had had a positive impact in ensuring a minimum representation of women.

10. With regard to violence against women, the Committee was informed about the incidence of violence, such as murders of wives as a result of non-payment of dowry, custodial rape, including rape by members of law enforcement agencies, and violence at the community level by pronouncing fatwas and misinterpreting religion. The representative described the multi-sectoral action programme being undertaken by the Ministry of Women's and Children's Affairs to address violence against women, including trafficking of women and girls.

11. Turning to the legal framework, the representative pointed out that the disparity between de jure and de facto rights was due to legal illiteracy of women and men and various weaknesses in law enforcement. A Permanent Law Commission had been established by the Government to review existing laws and enact new ones to safeguard women's rights and to prevent violence against women.

12. The representative described the national machinery and institutional framework to combat gender inequality. The National Council for Women's Development, a 44-member body, was headed by the Prime Minister and comprised ministers and secretaries from several line ministries, public representatives and eminent individuals. The establishment of an Interministerial Coordination and Evaluation Committee, headed by the Minister for Women's and Children's Affairs, was envisaged. She noted that Bangladesh had been one of the first countries in the world to establish a full-fledged Ministry of Women's and Children's Affairs, which included a Department of Women's Affairs as its implementing arm.

13. The representative informed the Committee that her country had taken serious steps to implement international commitments in the follow-up to the Fourth World Conference on Women and the International Conference on Population and Development, as well as legal obligations enshrined in the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child. She concluded by saying that the Convention and the Platform for Action had been translated into Bangla and widely disseminated. The National Action Plan offered detailed action programmes to implement the Platform for Action in Bangladesh.

Concluding comments of the Committee

Introduction

14. The Committee commended the Government of Bangladesh for its comprehensive, frank and clear written and oral presentations, which followed the guidelines of the Committee and responded to most of the questions raised by experts.

15. The Committee also welcomed the high-level delegation headed by the Minister of Women's and Children's Affairs assisted by several distinguished experts from other agencies, academe and non-governmental organizations, which reflected the importance accorded by the Government to the Committee.

16. The Committee especially welcomed and applauded the decision of the Government of Bangladesh to withdraw its reservations to article 13, paragraph (a), and article 16, paragraph 1 (f). It commended the leadership and political will of the Government in leading the way for other countries with similar reservations to also consider lifting their reservations.

17. The Committee noted and appreciated the close collaboration between the Government and non-governmental organizations in the course of the preparation of the report, as well as the efforts of the Government to disseminate its report to a wide range of women's groups and organizations.

Factors and difficulties affecting the implementation of the Convention

18. The sluggish economic growth of the country coupled with frequent natural calamities such as typhoons and floods posed serious constraints to the ability of the Government to provide adequate resources for women's programmes and projects.

19. Prevailing stereotyped attitudes and practices justified on religious grounds create a social environment for the acceptance of discrimination against women, thus impeding the full implementation of the Convention.

Positive aspects

20. The Committee noted the existence of constitutional guarantees to equality between women and men, as well as laws ensuring the equality and protection of women.

21. The Committee expressed satisfaction at the high status accorded the Ministry of Women's and Children's Affairs in the Government.

22. The Committee appreciated the inclusion of women's concerns in all of the development plans of the Government. This was strengthened by the declaration of the Policy on Women's Advancement, which is the main blueprint of the Government for the implementation of the Beijing Platform for Action.

23. The Committee likewise noted the positive impact of the presence of 30 reserved seats for women in Parliament and the local bodies, as well as in the public sector. It especially appreciated the fact that Bangladesh was one of the few countries in the world with a female Prime Minister and a female head of the Opposition.

24. The Committee noted with appreciation the emphasis placed by the Government on increasing literacy among women and girls, with the aim of achieving education for all by the year 2000.

25. The Committee lauded the Government's efforts to popularize and disseminate the Convention by translating the Convention into Bangla.

26. The Committee appreciated the Government's openness and collaboration with women's non-governmental organizations in implementing its programmes on women.

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Principal areas of concern

27. The Committee expressed serious concern over the alarming levels of violence against women in all its forms and the inability of the Government to enforce effectively existing laws as well as to provide immediate relief and justice to victims of such violence.

28. The Committee noted with concern that while education programmes had increased the level of literacy among girls and women since the last report, there was still a very large percentage of women and girls that had no access to education.

29. The Committee was concerned that available primary health and reproductive health services were still inadequate and often inaccessible to poor, rural and marginalized women. Moreover, family planning services still mainly targeted women, and not enough education on male responsibility in reproduction was being done.

30. On the matter of migrant women, the Committee noted the lack of discussion and measures to protect women migrant workers from Bangladesh in all stages of the migration process in the report.

31. The Committee expressed its concern over the continued prevalence of stereotyped and patriarchal attitudes towards women in society that undermine the Government's efforts to achieve equal status of women.

32. The Committee was seriously concerned about the poor working conditions of women workers in both the private and public sector. It was particularly concerned with the non-implementation of minimum wage levels and the lack of social and health benefits, including paid maternity leave, and the lack of adequate child care facilities in the manufacturing sector. It noted the lack of government monitoring of the conditions of women in the informal sector.

33. Lack of disaggregated statistical information, as well as timely research in critical areas like birth and marriage registration and incidents of violence against women, particularly in the most cruel forms such as acid throwing and dowry death, was noted by the Committee.

34. The Committee expressed serious concern at the absence of a separate prison for women, which posed serious threats to the security and protection of women offenders.

35. The Committee noted that although there are existing economic and micro-credit programmes for rural women, the trend towards globalization and liberalization of trade policies may have an adverse economic impact on the poorest of the poor, especially women in the rural areas.

36. The Committee expressed its concern over the Government's remaining reservations to articles 2 and 16, paragraph 1 (e). The Committee noted that it regards article 2 as a fundamental and core provision of the Convention, while article 16 is critical to the full enjoyment by women of their rights.

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37. The Committee was concerned that while all development plans had included gender concerns and issues, their impact on women had not been adequately monitored and assessed.

38. The Committee also noted the absence of adequate information and analysis, as well as programmes, directed at addressing prostitution in general.

39. The Committee noted with serious concern the reported imposition of fatwas, using religious justification to punish women.

40. The Committee was concerned that despite affirmative action measures to encourage women's political participation, the number of women in decision-making positions was still small.

Recommendations

41. The Committee urges the Government of Bangladesh, in order to comply both with its own Constitution and the Convention, to review its remaining reservations to articles 2 and 16, paragraph 1 (a), with a view to eventually withdrawing them.

42. The Committee strongly urges the Government of Bangladesh to strengthen its enforcement and monitoring of existing laws, policies and mechanisms on violence against women in order to provide victims and survivors of violence with responsive and effective measures of protection and to prevent further violence.

43. The Committee strongly urges the Government of Bangladesh to set up a separate prison facility and comprehensive programme of rehabilitation for women prisoners.

44. In view of the impact of globalization on rural economies, the Government should give high priority to the issues and problems of rural women, especially their ownership of land and access to credit, loans and skills training in new agricultural technologies, with a view to strengthening their productive and employment capacity.

45. The Committee also recommends the strengthening of gender sensitization and training programmes for the judiciary, police and health professionals, particularly those relating to violence against women.

46. In order to combat social attitudes, prejudices and social and traditional practices that discriminate against women, the Committee strongly recommends that the Government strengthen education and public information programmes geared towards reinforcing more positive images and roles of women in society.

47. The Committee recommends that the Government pay particular attention to improving the wage levels and the terms and conditions of women workers in the export processing zones as well as in the informal sector.

48. The Committee encourages the Government of Bangladesh to strengthen its primary health and reproductive health services aimed at substantially improving the health and well-being of women.

49. The Committee likewise urges the Government to strengthen its mechanisms to protect migrant women workers from exploitation throughout the migration process, including by actively exploring bilateral and multilateral initiatives addressing this issue.

50. The Committee recommends that birth and marriages be systematically reported in order to enable laws prohibiting child marriages and polygamy to be rigorously enforced.

51. In responding to the problem of trafficking of women and girls, the Committee recommends the stronger enforcement of the women and child suppression law of 1995, as well as provision of adequate assistance to women and girl victims of trafficking. The regional resolution on trafficking agreed to by the South Asian Association for Regional Cooperation in Maldives should be sustained and operationalized into actual programmes.

52. The Committee recommends that the Government undertake an impact assessment of development plans for women.

53. The Committee strongly recommends most proactive measures to hasten the implementation of education programmes to eliminate illiteracy.

54. The Committee recommends that research on the root causes and consequences of prostitution be conducted to enable Governments to respond accordingly.

55. The Committee requests wide dissemination of these concluding comments in Dhivehi so as to make individuals aware of the steps that have been taken to ensure de facto equality for women and the further steps that are required in this regard.

56. The Committee recommends the continuance of affirmative action measures such as quota seats for women in Parliament, in local bodies and in the civil service. This should be accompanied by community building and skills training to enable women to participate actively in electoral politics as well as in the civil service.